



MINUTES
MAY 12, 2015
LAURENS COUNTY COUNCIL
HISTORIC COURTHOUSE – PUBLIC SQUARE
COUNTY COUNCIL CHAMBERS

ATTENDANCE: **COUNCIL MEMBERS PRESENT**- County Council Chairman Joe Wood and Vice Chairman Tollison; County Council Members: Diane Anderson, Stewart Jones, Ted Nash and David Pitts.

COUNCIL MEMBERS ABSENT – Councilman Edward McDaniel (deceased).

COUNTY STAFF: Laurens County Administrator, Ernest Segars; Laurens County Clerk to Council Betty Walsh and Laurens County Attorney, Sandy Cruickshanks.

DEPARTMENT HEADS PRESENT: Laurens County Human Resources Manager, Debi Parker; Laurens County Communications Director, Joey Avery; Laurens County Sheriff, Ricky Chastain; Laurens County Public Works Director Rob Russian, Captain Tyson, Detention Center Administrator; Laurens County Emergency Medical Services, Chad Burrell, Director; Laurens County Fire Service Director, Greg Lindley; Laurens County Coroner, Nick Nichols; Laurens County Finance, Lisa Kirk, Director;

PRESS: Vic McDonald, *The Clinton Chronicle*; Wyatt , *WLBG Radio* Jennifer Brown, *GoLaurens.com* and Corey Engle, *The Laurens County Advertiser*.

SCHEDULED MEETING AGENDA ITEMS - 1.) Call to Order – Chairman Wood; 2.) Invocation –Councilman Nash; 3.) Pledge of Allegiance; 4.) Approval of Agenda, May 12, 2015; 5.) Approval of Minutes – April 28, 2015; 6.) Laurens County Trails Association, Mr. Donald Walker, Executive Director; A.) Resolution #2015-13 – “A Resolution in support of and to promote the extension and creation of designated bicycle routes within Laurens County”; 7.) Appointment Approval Laurens County Planning Commission, Chairman Wood; 8.) Second Reading, Ordinance #786, “An Ordinance to Amend and Rescind Ordinance #347 And Other Matters Appertaining Thereto”; 9.) Second Reading Ordinance #787 – “An Ordinance to Amend Ordinance #465 Providing For The Use of The Maximum Legal Percentage of Local Option Sales Tax Funds For the Fiscal Year 2015-2016; And To Further Use And Apply These Funds For The Purpose of Revenue Shortfalls In Laurens County And Other Matters Appertaining Thereto”; 10.) Second Reading Ordinance #788 – Laurens County FY 2015-2016 Budget (By Title Only); 11.) Second Reading, Ordinance #789, “An Ordinance To Amend And Modify Laurens County Ordinance #625 Regarding The Distribution Of Fees-In-Lieu-Of-Tax Received, Retained And Distributed By Laurens County, South Carolina, Including, But Not Limited To Any Joint County Industrial And Business Park Agreements And Amendments Thereto And Other Matters Related Thereto”; 12.) First Reading, Ordinance #790, “An Ordinance (1) To Amend The Existing Agreement For Development Of Joint County Industrial And Business Park By And Between Laurens County, South Carolina And Greenville County, South Carolina, To Enlarge The Boundaries Of the Park To Include Certain Additional Property Located In Laurens County, South Carolina, And Presently Owned And / Or Operated By A Company Identified For the Time Being As Project Needle Or One Or More Of Its Affiliates Or Related Companies (2) And Authorizing Other Related Matters”; 13.) First Reading, (By title only) Ordinance #793, “An Ordinance Authorizing, Pursuant to Chapter 44 of Tile 12, South Carolina Code of Laws. 1976, As Amended, The Execution and Delivery of A Fee Agreement Between Laurens County, South Carolina, And 3S International, Incorporated; The Application of an Infrastructure Credit To Fee-in-Lieu of Payments; And Matters Relating Thereto”; 14.) Administrative Report, Ernie Segars, County Administrator; 15.) Public Comments; 16.) Comments from Council Members; 17.) Executive Session – Employment Matter; 18.) Adjournment.

MEETING NOTIFICATION - The County Council Members, Department Heads, requesting general public and the Press were informed of the meeting in a timely manner.

CALL TO ORDER – Chairman Wood called the meeting to order and invited all to stand for the invocation and the Pledge of Allegiance. Councilman Nash provided the invocation.

APPROVAL OF AGENDA – Chairman Wood called for approval of the agenda with any additions.

Administrator Segars advised Council that two (2) Discussion items listed on the agenda would be delayed until the next meeting of Council. Those items were: Second Reading Ordinance #787 – “An Ordinance to Amend Ordinance

#465 Providing For The Use of The Maximum Legal Percentage of Local Option Sales Tax Funds For the Fiscal Year 2015-2016; And To Further Use And Apply These Funds For The Purpose of Revenue Shortfalls In Laurens County And Other Matters Appertaining Thereto” and Second Reading Ordinance #788 – Laurens County FY 2015-2016 Budget (By Title Only). And, the scheduled executive session would be omitted until a later date.

VICE CHAIRMAN TOLLISON made the MOTION to approve the agenda as presented with the deletions; COUNCILMAN NASH SECONDING; VOTE 6-0.

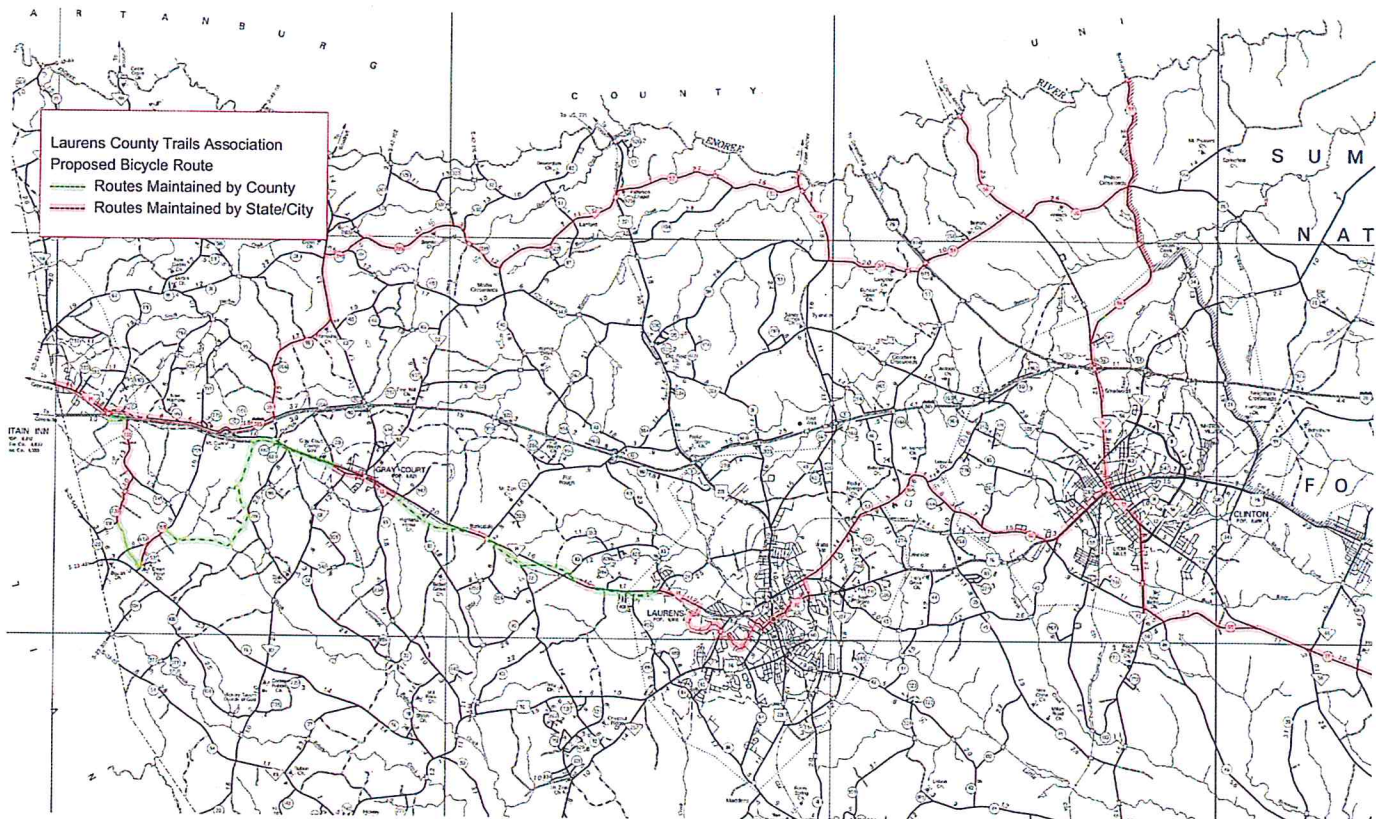
APPROVAL OF MINUTES – COUNCILMAN JONES made the MOTION to approve the minutes from the May 12, 2015 regular session of Council. VICE CHAIRMAN TOLLISON SECONDING; VOTE 6-0.

LAURENS COUNTY TRAILS ASSOCIATION – MR. DONALD WALKER, EXECUTIVE DIRECTOR - Mr. Donald Walker, Executive Director of the Laurens County Trails Association appeared before County addressing the proposed bicycle route within Laurens County. He began by saying that this all started with bicyclists complaining of not being able to ride AB Jacks Road anymore due to rumble strips along the roadway.

Continuing Mr. Walker said, “We understand the need for the rumble strips for the vehicles but it also imposes a safety hazard for those that do bicycle on these roadways. We have worked with the Department of Transportation and they have advised us that the best thing to do is to have locally designated roads for bikers”.

Administrator Segars stated that the County had contacted the insurance carrier for the County and they have stated that there would not be any problems.

Mr. Walker reviewed the following maps and road descriptions with Council as a proposed biking route within Laurens City, Laurens County and Clinton City.



**LAURENS COUNTY, SOUTH CAROLINA
PROPOSED DESIGNATED BICYCLE ROUTES**

THREE COMPONENTS

1. Primary Loop: connects Fountain Inn, Owings, Gray Court, Laurens, and Clinton; then returns to Fountain Inn via routes in northeastern Laurens County
2. Union/Spartanburg County Connectors (includes connector to the Palmetto Trail and Musgrove Mill)
3. Newberry Connector

PRIMARY LOOP (approximately 70-75 miles)

Fountain Inn to Owings: (10.5 miles)

- Southbound on Nash Street or S Main Street to right on N Old Laurens Road; continue under Interstate 385
- Right on Abercrombie Road
- Left on Stoddard Mill Road
- Right on Burdette Road
- Left on Dials Church Road
- Left on Dogwood Road
- Right on N Old Laurens Road into Owings

Owings to Laurens: (10.2 miles)

- N Old Laurens Road becomes N Main Street in Gray Court, then becomes S Main Street, then S Old Laurens Road
- Right on Highway 14
- Right and immediate left on Old Laurens Road
- Cross Highway 14 onto Wilson Road
- Left on Highway 14
- Right on Narnie Road to end
- Right on Welcome Church Road
- Right on Highway 14

Laurens: (5.1 miles)

- Right on Henry Street
- Left on Bryson Drive
- Right on Anderson Drive (Highway 76)
- Left on Sunset Park
- Left on W Hampton Street
- Right on Church Street
- Left on W Main Street (through downtown Laurens)
- Continue on E Main Street
- Left on Garlington Street
- Right on Exchange Drive

Laurens to Clinton: (7.2 miles)

- Left on Fleming Street Ext. which becomes Torrington Road
- Left on Highway 76

Clinton: (4.5 miles)

- Left on Rich Loom Road (entrance to Rich Loom plant)
- Immediate right on W Main Street; continue into downtown Clinton
- Left on Musgrove Street which becomes Highway 56 after crossing Highway 72 (or right on Broad Street to Newberry County - see *Newberry Connector* below)
- Continue on Highway 56 across Interstate 26

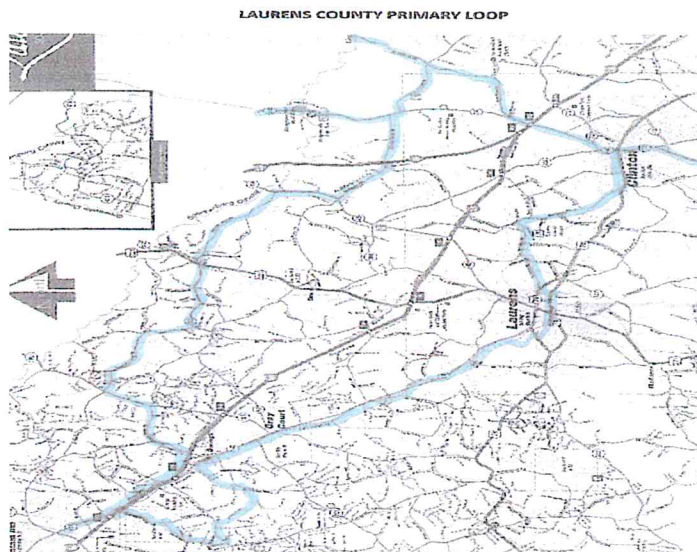
Clinton to Fountain Inn: (35.2 miles)

- Right on Barrel Stave Road
- Left on Philson Road (or proceed straight on Barrel Stave Road to the Palmetto Trail Head and into Union County - see *Union/Spartanburg County Connectors* below)
- From Philson Road, right on Highway 56
- Left on Bethany Church Road (or proceed straight on Highway 56 to Musgrove Mill and into Spartanburg County - see *Union/Spartanburg County Connectors* below)
- On Bethany Church Road, cross Interstate 26 and then right on Langston Road
- Right on Highway 49
- Left on Patterson Plant Road
- Left on Highway 221
- Right on Highway 92 (has rumble strips)
- Right on Bramlett Church Road
- Left on Highway 101
- Right on Friendship Church Road
- Right on S Frontage Road
- Left on Hunts Bridge Road
- Right on either S Main Street or Old Laurens Road into Fountain Inn

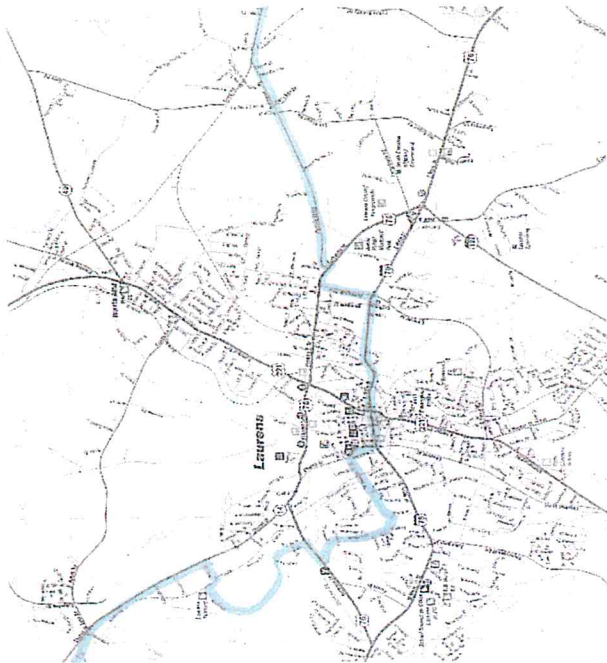
NEWBERRY CONNECTOR

NOTE: The routes highlighted here take the rider into Newberry County but do not suggest any routes within Newberry County or any loop to return to Laurens County.

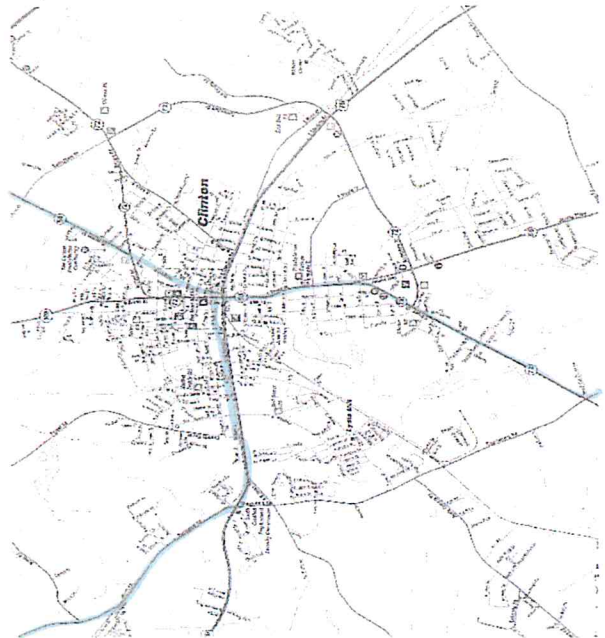
- From downtown Clinton, take South Broad Street / Highway 72
- Left on Old Milton Road
- Left on Greenplain Road
- Right on Highway 56
- Straight through the intersection with Highway 66 onto Bush River Road
- Cross Route 560 into Newberry County. Bush River Road continues to the City of Newberry



CITY OF LAURENS DETAIL



CITY OF CLINTON DETAIL



Vice Chairman Tollison said, “Over the past several years in my travels with business out of state, that the rumble strips actually do save lives. I also think that signage should be installed on these roadways implying bikers could be in present. One question that I have is that should bikers ride in the flow of traffic?” Mr. Walker replied, “The South Carolina Department of Transportation has different ideas about rumble strips per the roadways used. If there are no paved sideways, there are rumble strips placed there. If there is roadway side age, they put rumble strips in every forty eight feet (48”)”.

Councilman Jones questioned if this was a request for any additional funding. Mr. Walker replied that this was not a request for funds.

Councilwoman Anderson asked for confirmation that this was for a bike route and not a biker lane. Mr. Walker replied that it was for a route.

Councilman Pitts stated that he was in support of this one hundred percent (100%).

Chairman Wood explained that County funds were very tight right now and could understand the safety issues and speeds on the roadways used by all.

- A.) **RESOLUTION #2015-13 – “A RESOLUTION IN SUPPORT OF AND TO PROMOTE THE EXTENSION AND CREATION OF DESIGNATED BICYCLE ROUTES WITHIN LAURENS COUNTY”** - COUNCILMAN JONES made the MOTION to approve the requested Resolution with COUNCILMAN PITTS SECONDING; VOTE 6-0

APPOINTMENT LAURENS COUNTY PLANNING COMMISSION - Chairman Wood requested the appointment of Mrs. Kay Weeks from the Hickory Tavern Community to serve on the Laurens County Planning Commission Board. This would be a replacement for Mr. Billy Abercrombie who recently resigned to accept another position on a state board.

COUNCILMAN NASH made the MOTION to approve the requested appointment with VICE CHAIRMAN TOLLISON SECONDING; VOTE 6-0

SECOND READING, ORDINANCE #786, “AN ORDINANCE TO AMEND AND RESCIND ORDINANCE #347 AND OTHER MATTERS APPERTAINING THERETO” – Chairman Wood explained that this was an ordinance that rescinds Ordinance #347 that allowed for pay in lieu of insurance for county employees that proved they had existing insurance by other means. And, that as per the Attorney Generals revised opinion in 2013 that this procedure is no longer leaga.

VICE CHAIRMAN TOLLISON made the MOTION to approve Ordinance #786 upon second reading with COUNCILMAN PITTS SECONDING for discussion.

Administrator Segars explained “In 1992 Ordinance #347 was enacted. At that time, the South Carolina Attorney General’s Office, through a formal opinion, told Council that is was legal to allow a County to pay employees a certain amount of money in lieu of them opting for the offered County insurance. That has rocked along for some time until in 2013 when a issue came up in another County in South Carolina if this was a legal process. The clause in the South Carolina Constitution says that additional payments to governmental employees is not legally appropriate and therefore has rescinded the opinion of 1992 as this practice must stop”.

COUNCILWOMAN ANDERSON offered an AMENDING MOTION for the Ordinance to say that the ordinance would be effective for all involved as of July 1, 2015 and not the December 31, 2015 date. The employees have submitted a signed agreement with Human Resources that they do have other insurance. With this they do not necessarily need the open enrollment date of October to comply.”

There was not a second to the amending motion therefore the AMENDED MOTION DIED for the lack of a second.

COUNCIL VOTED 5-1 (Councilwoman Anderson was in opposition) towards the initial motion to approve as written.

POSTPONED - SECOND READING, ORDINANCE #787 – “AN ORDINANCE TO AMEND ORDINANCE #465 PROVIDING FOR THE USE OF THE MAXIMUM LEGAL PERCENTAGE OF LOCAL OPTION SALES TAX FUNDS FOR THE FISCAL YEAR 2015-2016; AND TO FURTHER USE AND APPLY THESE FUNDS FOR THE PURPOSE OF REVENUE SHORFALLS IN LAURENS COUNTY AND OTHER MATTERS APPERTAINING THERETO” – This reading was postponed.

POSTPONED - SECOND READING, ORDINANCE #788 – LAURENS COUNTY FISCAL YEAR 2015-2016 BUDGET (By Title Only) – This reading was postponed.

SECOND READING ORDINANCE #789, “AN ORDINANCE TO AMEND AND MODIFY LAURENS COUNTY ORDINANCE #625 REGARDING THE DISTRIBUTION OF FEES-IN-LIEU-OF-TAX RECEIVED, RETAINED AND DISTRIBUTED BY LAURENS COUNTY, SOUTH CAROLINA, INCLUDING, BUT NOT LIMITED TO ANY JOINT COUNTY INDUSTRIAL AND BUSINESS PARK AGREEMENTS AND AMENDMENTS THERETO AND MATTERS RELATED THERETO”. – Councilman Pitts proposed for Council to consider leaving the present ordinance intact, by Resolution, at the three hundred sixty thousand dollars (\$360,000) but to offer a Resolution for this budget year asking for the Development Corporation to reimburse the County thirty thousand dollars (\$30,000) on or before December 31, 2015 for one year. This will allow for the Council to consider a refund on a year by year basis instead of cutting these monies.

Attorney Cruickshanks replied that there are a couple of ways to approach: If there is no motion for second reading, you can either rescind first reading or the adoption the Resolution proposal for this one fiscal year.

COUNCILMAN PITTS made the MOTION to adopt the proposed Resolution that would allow the ordinance to remain intact at three hundred sixty thousand dollars (\$360,000) and would require a reimbursement of thirty thousand dollars (\$30,000) on or before December 31, 2015 for this one year. VICE CHARIMAN TOLLISON SECONDING for further discussion.

Councilman Nash said, “I feel that the LCDC needs to be run by the same rules of the County. Even so much as the employee portion for insurance. This process, and with other situations, I feel is fair to be cut. This Council has

allowed the LCDC to be held higher on the totem pole than our employees. Our employee benefits are not very good. We need to be fair,”

Councilman Jones said, “Laurens County needs economic growth to help our tax base to grow and allowing more people to move to Laurens”.

Councilwoman Anderson said, “This Council just voted towards thirty something county employees, who already have insurance to incur cuts. I don’t think that we should single out to any particular department. I think economic development is important to this County and we should continue with the same amount of funds for the LCDC”.

Chairman Wood said, “I have several comments to make. When this was first brought up, I was approached by other members of Council about this and that it needed to be looked into during budget deliberations. I do not think that it was right for one of our newspapers to put down the County like they did in the last publication. I’ve been called cheesy and that I have a vendetta against somebody. I had a meeting with Marvin Moss and Johnathon Coleman back in January when I was elected Chairman. Mr. Coleman said that he was concerned that I had a vendetta against him because his father and I have bumped elbows a lot over the last couple of years. I worked really well with our former Chairman Coleman. I expressed my opinions and he expressed his; we always shook hands over our opinions and walked off. I told Jonathan Coleman that if I had a son, I would want one just like you. I have nothing against Jon Coleman. I just wanted the LCDC look at their budget to help us since we are looking to our departments to help with a balanced budget and save some money.”

Continuing Chairman Wood said, “I went over the LCDC budget and saw where I thought they could make some cuts. I mentioned the meals furnished at each meeting. I did not say to cut it out, I simply said that it was an extravagant amount used for meals each month. This Council is a direct related party to the LCDC because we provide tax monies to them. For me to ask them to tighten their belt, when we are cutting pay for our employees. I do not feel that I was out of place by doing so. Another point that the newspaper said was that the LCDC was the only agency that made money for Laurens County. That is simply not true. We have departments in this County that makes money for this County. Twelve years ago, I said that Laurens County needs economic development. Most of the big named industry and companies are brought to Laurens County by the South Carolina Department of Commerce”.

COUNCIL VOTED 5-1 (Councilwoman Anderson was in opposition) to approve the Resolution proposed by Councilman Pitts.

FIRST READING, ORDINANCE #790, “AN ORDINANCE (1) TO AMEND THE EXISTING AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL AND BUSINESS PARK BY AND BETWEEN LAURENS COUNTY, SOUTH CAROLINA AND GREENVILLE COUNTY, SOUTH CAROLINA TO ENLARGE THE BOUNDARIES OF THE PARK TO INCLUDE CERTAIN ADDITIONAL PROPERTY LOCATED IN LAURENS COUNTY, SOUTH CAROLINA, AND PRESENTLY OWNED AND / OR OPERATED BY A COMPANY IDENTIFIED FOR THE TIME BEING AS PROJECT NEEDLE OF ONE OR MORE OF ITS AFFILIATES OR RELATED COMPANIES (2) AND AUTHORIZING OTHER RELATED MATTERS”.

COUNCILMAN PITTS made the MOTION to approve Ordinance #790 upon first reading with COUNCILMAN NASH SECONDING; VOTE 6-0.

FIRST READING, (BY TITLE ONLY) – ORDINANCE #793, “AN ORDINANCE AUTHORIZING, PURSUANT TO CHAPTER 44 OF TITLE 12, SOUTH CAROLINA CODE OF LAWS, 1976, AS AMENDED, THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BETWEEN LAURENS COUNTY, SOUTH CAROLINA, AND 3S INTERNATIONAL, INCORPORATED; THE APPLICATION OF AN INFRASTRUCTURE CREDIT TO FEE IN LIEU OF PAYMENTS AND MATTERS RELATING THERETO” -

County Attorney Cruickshanks said that Council approved the Inducement Resolution on December 9, 2014 for this project, then known as “Project Zeus”. The company is ready to begin the process of approval of its FILOT and other related documents. This Ordinance is by ‘title only’ on first reading of the fee agreement and infrastructure credits. The company will be investing about \$15 million and creating approximately forty five (45) new jobs plus, forty to sixty (40-

60) contract and / or part time jobs. Full text of the ordinance and related documents will be available for second reading.

VICE CHAIRMAN TOLLISON made the MOTION to approve Ordinance #790 with COUNCILMAN JONES SECONDING; VOTE 6-0.

Vice Chairman Tollison also asked for Council to look further into the fee structure for these ordinances since the County is in a financial bind.

ADMINISTRATIVE REPORT – Addressing the Hillcrest Square Administrative Offices, Administrator Segars said that it is predicted to be completed by late summer with an early fall move. And that Council needs to determine the use of the present Church Street Offices.

County Council Budget and Finance Committee Assignment(s) - Chairman Wood assigned the County Council Committee the task of discussing the use of the Church Street Offices once vacated and the review of multi county park agreements as it relates to allocated percentages.

PUBLIC COMMENT – Chairman Wood opened the floor for public comment at 6:25 P.M. Having no one wishing to address Council, Chairman Wood closed the session at 6:26 P.M.

COUNTY COUNCIL COMMENTS:

- 1.) Chairman Wood assigned the County Council Committee on Health and Emergency Services to review the documents being circulated within the Fire Service and to report back to Council of their findings.

Chairman Wood commented on the two new trucks bought with grant monies and asked all to look at as they leave.

- 2.) Councilman Jones thanked all of the departments for their hard work and that he had met yesterday with an officer discussing their needs to do their jobs of defending liberty.
- 3.) Councilman Nash stated that he was proud of how the County was approaching a lot of issues and with the discussions to resolve.
- 4.) Vice Chairman Tollison thanked all that came out to attend the meeting.

CANCELLED - EXECUTIVE SESSION – As per Administrator Segars, the executive session was postponed until a later meeting.

ADJOURNMENT – With no further action required by Council, Chairman Wood adjourned the meeting at 6:35 P.M.

Respectfully Submitted,



Betty C. Walsh
Laurens County Clerk to Council